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U.S. Department of Transportation
Docket Management System
400 7th Street, SW., Room PL 401
Washington, DC 20591-0001.
<http://dms.dot.gov/>.

18th November, 2003

Our Ref: EA150B-23/002

Dear Sirs,

Explorer Aircraft Inc. is pursuing type certification of the Eagle 150B-23 Model aircraft under FAR Part 23. The FAA Type Certification Project Number is TC1958AC-A.

Explorer Aircraft Inc. seeks a grant of exemption from 14 CFR 21.183(c), "Import aircraft. An applicant for a standard airworthiness certificate for an import aircraft type certificated in accordance with §21.29 is entitled to an airworthiness certificate if the country in which the aircraft was manufactured certifies, and the Administrator finds that the aircraft conforms to the type design and is in condition for safe operation", to allow for the issue of a standard airworthiness certificate for Eagle 150B-23 as "Import aircraft" under 14 CFR 21.183(c) based on the aircraft being type certificated under 14 CFR 21.21 versus 14 CFR 21.29.

The required information for the petition for exemption per FAR 11 section 11.81 is attached to this cover letter. Please contact Explorer Aircraft Inc. if any further information is required.

Sincerely,

A handwritten signature in black ink, appearing to read "Geoffrey Danes", is written over a faint, light blue circular stamp.

Geoffrey Danes
Director of Operations, R&D.
409 480 1500

Explorer Aircraft Inc. Petition for Exemption to 14 CFR 21.183(c)

(a) Name, mailing address, voice and fax telephone numbers, and email address.

Explorer Aircraft Inc
One Great Place
Jasper, TX 75951
409 489 1500 - Voice
409 489 1700 - Fax
info@exploreraircraft.com

(b) Specific section or sections of 14 CFR from which you seek exemption.

Explorer Aircraft Inc. seeks an exemption from 14 CFR 21.183(c) "Import aircraft. An applicant for a standard airworthiness certificate for an import aircraft type certificated in accordance with §21.29 is entitled to an airworthiness certificate if the country in which the aircraft was manufactured certifies, and the Administrator finds that the aircraft conforms to the type design and is in condition for safe operation."

(c) The extent of relief you seek, and the reason you seek relief.

Explorer Aircraft Inc., petitions for exemption from regulation 14 CFR 21.183(c) to allow Explorer Aircraft Inc., an applicant, to be entitled to a standard airworthiness certificate if the import aircraft is type certificated in accordance with §21.21 versus §21.29. This exemption would allow the Eagle 150B-23 aircraft that is manufactured to a §21.21 type certificate in a foreign country under the foreign civil aviation authority's cognizance and exported by that authority to be eligible for a FAA standard airworthiness certificate as an import aircraft.

(d) The reason why granting your request would be in the public interest; that is, how it would benefit the public as a whole.

A positive finding to the petition will result several benefits to the public. This exemption will allow Explorer Aircraft Inc. to commence importing this aircraft for sale within North America. This process will result immediately in the creation of employment positions at the local, state and national level as Explorer Aircraft Inc. moves ahead with establishing the necessary sales, marketing and support infrastructure for this product. Explorer Aircraft Inc. has established its headquarters in an economically disadvantaged rural area of Texas and is working collaboratively with the local Economic Development Corporation to establish a more diverse employment base within an area previously largely dependent upon the timber industry only. Explorer Aircraft Inc. additionally intends to Type Certify its own utility aircraft design in the near future. The infrastructure and employment created by importing this aircraft is a stepping-stone to further high technology employment opportunities being created in the region.

- (e) **The reasons why granting the exemption would not adversely affect safety, or how the exemption would provide a level of safety at least equal to that provided by the rule from which you seek exemption.**

The granting of this exemption will not adversely affect safety as it will simply allow for the issue of a standard airworthiness certificate to an import aircraft manufactured in conformance to a US (§21.21) Type Certificate, in lieu of an import (§21.29) type certificate.

The need for the issue of a standard airworthiness certificate under 14 CFR 21.183(c) to aircraft built to conform to a US (§21.21) type certificate obviously was not anticipated when it was formulated. The relief sought by this petition for exemption is a legislative issue only.

This petition for exemption clearly doesn't adversely affect safety and merely strives to accommodate the current state of global aviation manufacturing environment. Again, the relief sought by this petition for exemption provides an equal to or greater level of safety.

- (f) **A summary we can publish in the FEDERAL REGISTER, stating:**
(1) **The rule from which you seek exemption; and**
(2) **A brief description of the nature of the exemption you seek.**

Explorer Aircraft Inc. seeks exemption from 14 CFR 21.183(c) to allow for the issuance of a standard airworthiness certificate to an import aircraft type certificated under 14 CFR 21.21.

Explorer Aircraft Inc. has made application to obtain a Part 23 Type Certificate for the Eagle 150B-23 aircraft. When obtained this TC will be licensed to Eagle Aircraft (Malaysia) Sdn. Bhd. to manufacture the aircraft under a production process anticipated by the Bilateral Airworthiness Safety Agreement in place between the USA and Malaysia. This petition for exemption will allow for the issuance of a standard airworthiness certificate to this import aircraft although 14 CFR 21.183(c) did not anticipate aircraft being presented with a type certificate issued under 14 CFR 21.21.

- (g) **Any additional information, views or arguments available to support your request.**

This is legislative issue only. Granting this petition for exemption truly embraces and allows for the implementation of provisions agreed to in the USA and Malaysia Bilateral Airworthiness Safety Agreement.

- (h) **If you want to exercise the privileges outside of the United States, the reason why you need to do so.**

The issue of a standard airworthiness under 14 CFR 21.183(c) has no relevance to aircraft not on the US registry.